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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/638,650 Confirmation No. 9848
Applicant: Law Enforcement Services, Inc.
For: **SYSTEM AND METHOD FOR ACQUIRING AND ANALYZING
PERSONAL HISTORY INFORMATION**
Filed: August 14, 2000
TC/AU: 3626
Examiner: Carolyn M. Bleck

Docket No.: L4590-004
Customer No.: 30166

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAR 22 2004
GROUP 3600

Sir:

DECLARATION OF JAMES E. SEIBER UNDER 35 U.S.C. 132

1. My name is James E Seiber and I am employed as Executive Director for the Illinois State Police Merit Board (the "State Police Merit Board") in Springfield, Illinois. My responsibilities include recruitment and selection of applicants for employment as Troopers, Illinois State Police.

2. The Illinois State Police Merit Board has been a client of Law Enforcement Services, Inc. ("LESI") since at least 1992.

3. I am familiar with the ONLINE PHQ product provided by LESI. I am also familiar with the usage and availability of employment applicant screening instruments in the law enforcement field.

4. Prior to the introduction of the ONLINE PHQ product by LESI in approximately March 2000, the Illinois State Police Merit Board screened applicants for law enforcement employment by obtaining life history information through conventional techniques, such as, self-administered pen and paper questionnaires and by interview. The veracity of the life

information gathered by these conventional techniques, however, was low. Thus, from 1993 to 1999 the Illinois State Police Merit Board also routinely administered polygraph tests to law enforcement employment applicants. In many cases, the polygraph examinations would reveal life history information that had a significantly higher degree of veracity than the information obtained by conventional self-administered questionnaires and interviews. Polygraph tests, however, are expensive and time consuming to administer.

5. Since March 2000, the Illinois State Police Merit Board has used LEST's ONLINE PHQ for obtaining life history information for screening applicants for employment as law enforcement officers. ONLINE PHQ is an internet-based questionnaire that is used to acquire life history information from employment applicants, which is used to predict specific, negative job outcomes and which also provides information that is more accurate and reliable than information derived previously.

6. After using the ONLINE PHQ product for one selection cycle, the Illinois State Police Merit Board stopped routinely administering polygraph tests to law enforcement employment applicants. Polygraph examinations were no longer necessary because of the increased veracity of the life history information obtained via the ONLINE PHQ product.

7. I expected that obtaining life history information using a computerized system would be a more efficient method of obtaining such information than obtaining such information manually. I would also expect that products, such as the ONLINE PHQ, which use stem questions and revealed branch questions, wherein the answer to the stem question cannot be changed by the applicant after the branch questions is revealed would result in more truthful life history information. However, in my experience, the ONLINE PHQ product unexpectedly

resulted in applicants for employment providing significantly more truthful, and complete life history information.

8. While I expected that we would experience a degree of increase in the veracity of the life history information by using a product such as the ONLINE PHQ, I did not expect that the Illinois State Police Merit Board would be able to substantially eliminate routine use of polygraph tests in connection with screening applicants for law enforcement employment.

9. Despite the need for a way of obtaining background information from a law enforcement employment applicant, which provided information that was sufficiently truthful to screen out applicants that were unlikely to complete training, or otherwise experience a negative job outcome, and which did not also require the use of a polygraph test, prior to the introduction of the ONLINE PHQ product by LESI, there was no way of doing so.

10. Since March 2000, the Illinois State Police Merit Board has required approximately 2000 applicants for law enforcement employment to provide such life history information via LESI's ONLINE PHQ product. Since March, 2000, the Illinois State Police Merit Board has required all law enforcement employment applicants to provide background information using the ONLINE PHQ product.

11. The Illinois State Police Merit Board is making such extensive and widespread use of LESI's ONLINE PHQ product because it provides significantly more truthful life information for law enforcement employment applicants. The product provides more truthful information because stem questions are presented and the branch question is revealed only after the applicant answers the related stem questions. Thus, the applicant is unlikely to discern a relationship between the stem question and the later revealed branch question and is more likely

Appl. No. 09/638,650

Amtd. dated March 1, 2004

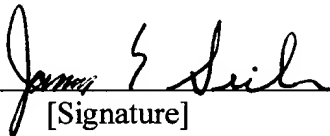
Reply to Office action of September 16, 2003

Declaration of James E. Seiber

to provide truthful information to the revealed branch question and/or is less likely to provide a positively biased response.

12. In addition, even if an applicant is able to discern the relationship between a stem question and a later revealed branch question, the ONLINE PHQ product electronically "locks" the answer to the stem question, so that the applicant is unable to change the response to the stem question after the branch question is revealed.

This is the 1st. day of March 2004.


[Signature]

James E. Seiber
[Printed Name]